DEPUTY PRESIDENT: Give figures to substantiate the statement.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: It is clear from the several statements appended to the Report under discussion. The report of the Public Accounts Committee under discussion is not only not sufficiently instructive but also is hopelessly incomplete. There appear to be two main reasons for this sad feature of the report. One of the reasons is that the members of the Public Accounts Committee have not cared to send up in time the necessary questions on the report for the purpose of information or explanation on the points that needed elucidation. It can be seen from the report of the Public Accounts Committee for the year 1112, that the member of the Committee sent up a number of questions on the audit report and the appropriation accounts for the year 1112 and the Government had also placed on the table the answers to those questions. This procedure facilitated to a very considerable extent the deliberations of the Committee and consequently the Committee was in a position to present before the Legislature rather an instructive report. The Public Accounts Committee is a statutory body constituted under Rule 79 (1) of the Legislative Reforms Rule and the Committee is also empowered to take the evidence and examine as witnesses all Heads of Departments or other officers to supplement the information on any point coming under the purview of its enquiries. That the members of this committee have not cared to avail themselves of this beneficial provision is obvious from para 4 of the proceedings of the meetings of the Public Accounts Committee. As an illustration, I may be permitted to read paragraph 4 of the Proceedings of the meeting of the Public Accounts Committee dated Saturday the 16th December 1939.

> "*Kuttanad Water Supply.* Mr. N. Krishna Aiyar referred to page 112 of the Report and asked for details as to the sum of Rs. 5.76 expended in 1113. He was informed that the members of the Committee had the right if they considered it necessary, to request Government to summon the Heads of Departments who they would like to interrogate for purposes of information or explanation of points which needed elucidation, according to them and that, in the absence of such previous requisition, the only possibility was to get the information from the Head of the Department concerned."

Hence I submit that the Report of the Public Accounts Committee is neither complete nor sufficiently instructive. The Committee members appear to have been satisfied with the little they had before them at the time of their deliberations.

With these general observations, I may be permitted to move my first resolution which runs as follows:

> "This Assembly recommends to Government that severe steps be taken against the departmental heads who did not submit their reports in time, regarding the lapses and surrenders, as laid down in Section 930 of the Financial and Account Code Part I."

In the Audit and Appropriation Report of every year, a fairly long and whole paragraph used to be devoted for explaining facts relating to the

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Puliycor T. P. Velayudhan Pillai]

lapses and surrenders of several departments. Article 244 of the Account Code Part I, corresponding to Article 913 of the Financial and Account Code Part I, lays down that Heads of Departments should submit formal reports to Government as soon as they foresee lapses and savings, and should surrender all that is not likely to be spent during the rest of the year. It is clear that several Heads of Departments have not done that, although they had actually anticipated savings and lapses. Apparently, they did not care to do their duty as clearly laid down in the Financial and Account Code. Sir, is that not deliberate disobedience of Government orders? There can be no doubt that such officers deserve severe punishment for dereliction of duty. I would only refer, in this connection to page 98 of the Audit and Appropriation Report. There, it is stated :—

> "On the other hand, lapses and savings in one department may be utilised during the year by the Government for the requirements of other departments. It is therefore essential that funds should not be unnecessarily locked up; and that Government should be kept informed of the progress of expenditure. Whenever the head of a Department finds that he could not spend, during the year, any portion of the appropriation placed at his disposal, he should immediately report the fact to the Finance Department through the Accountant-General and the administrative department of Government. It is not permissible to reserve such funds for demands which may arise during the course of the year. During the year under review, the Financial Secretary alone surrendered funds to the extent of Rs. 2,500 towards the close of the year, while many other Heads of Departments, who could have also anticipated savings and surrendered them early, did not do so. This shows that the controlling officers had either not correctly appreciated the principle underlying the Rule or they are unable to take the necessary measures in time. Whatever that may be it is highly desirable that compliance with the salutory Rules by the controlling officers is insisted upon as it will operate as a check on the possibility of extravagant expenditure by departmental officers."

Sir, it is indeed painful to know that surplus funds, which could have been spent for the more pressing needs of the tax payer, were locked up on account of the failure on the part of Heads of Departments to submit fresh reports in time as required under Articles 913 of the Financial and Account Code Part I. So, I move the resolution for the unanimous acceptance of the House. A perusal of the Reports of last year about the deliberations of the Public Accounts Committee and the Audit and Appropriation Report for 1112, will show that at least 3 departmental heads had submitted surrender reports in time. But this year, it is seen that only the Financial Secretary submitted such report. So, the position is getting worse and worse. I would therefore earnestly appeal to the House to consider that aspect of the question very seriously and give their unanimous acceptance to my resolution.

MR. KAINIKKARA M. PADMANABHA PILLAI: I second it.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. GOVINDA PILLAI: Sir, Government fully appreciate the object underlying the resolution moved by the honourable member Mr. T. P. Velayudhan Pillai. The extract he has himself read makes it clear that the important question which he has raised has engaged the attention of Government; it has not escaped their notice. I may assure the House that as soon as the year closed and as soon as the Audit Department brought it to the notice of Government that several Heads of Departments had not complied with the provisions of the Financial and Account Code, Government did take the necessary steps; they have called for explanations from the officers concerned. I can assure the House that Government will never shut their eyes to such conduct on the part of any of their officers; none of them will escape punishment if it is found that their explanations are unconvincing or otherwise unsatisfactory. I can only repeat that even before Mr. T. P. Velayudhan Pillai could have thought of bringing forward this resolution here, the matter had already engaged the attention of Government, and necessary action was taken then and there.

MR. K. P. KOCHUKORATHARAKAN: ഇവരുടെ എക്സ്പ്ലനേഷൻ സാറിന്റെ ഫാക്ടറിയാണോ എന്ന ഈ സഭയ്ക്ക് അറിയാൻ സൗകര്യം നൽകുമോ?

MR. M. GOVINDA PILLAI: That is an administrative matter. Still, if the House is anxious to know the nature of the explanations, I may assure the House that Government would not hesistate to place them before the House if they find that it would not be against public interests to disclose the nature or contents of the explanations.

One point which Mr. T. P. Velayudhan Pillai made out was with regard to grant sanctions under Section 32 and excess expenditure under voted grants. Government have to plead guilty to the charge which Mr. T. P. Velayudhan Pillai has laid at their door. But, here again, I may assure the House that Government have never been indulging in unnecessary or extravagant expenditure; they have had recourse to the provision in Section 32 only in cases of emergent and unavoidable necessity. Government will never incur any expenditure unless there is an emergency, and there are sufficient grounds to justify their invoking the aid of Section 32. It is only when such necessity arises during the interval between two meetings of the Legislature that they do it; whenever there is any possibility of taking the sanction of the Legislature they readily do it.

The other point raised by Mr. T. P. Velayudhan Pillai was that the members of the Committee had not devoted as much attention as is probably expected of them by honourable members like Mr. T. P. Velayudhan Pillai. But, from what I could gather at the meeting of the Committee everyone of them had studied the Audit and Appropriation Report, and had satisfied himself on all important matters dealt with in the Report. The only question they raised was about the Kuttanad water supply. As Financial Secretary, I had written to them in time, and I received their answers to the effect that they were satisfied with

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. M. Govinda Pillai]

the explanations contained in the Report. It is solely because they had no doubts to be cleared, no complaints or criticisms to make that they did not ask for any departmental head being examined or call for further information. I know this is a matter for the Committee members themselves to answer; all the same, on their behalf, as one who was present at the meeting, I am merely submitting that it struck me that they were fully satisfied... ...

MR. KOTTALIL P ABRAHAM: May I ask whether a resolution like the one now before the House was brought before the House on any previous occasion.

MR. M. GOVINDA PILLAI: I think so.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask whether the usual practice of placing on the table the questions asked by the members of the Public Accounts Committee, was followed this time?

MR. M. GOVINDA PILLAI: The members had no questions to ask. I did write to them asking for their questions. Evidently they were fully satisfied with the action taken by Government and the explanation furnished on the Audit and Appropriation Report. They had no doubts to be cleared. You cannot expect questions from them when the have none to ask, or no doubts to be cleared.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): On a point of order, Sir. Is it competent for the Financial Secretary or for any other member of a committee to disclose here, the details of what took place at the meetings of the committee?

MR. M. GOVINDA PILLAI: May I just point out to the Legal Remembrancer, Sir, that the Public Accounts Committee is a statutory body composed of non-officials and officials, whose meetings are reported and such reports made available to the members of Legislature; as such there is nothing confidential in the proceedings of the meetings of the Public Accounts Committee.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Was any departmental head examined by the members of the committee?

MR M. GOVINDA PILLAI: I have already stated that they did not feel any need for any such examination.

MR. P. NARAYANA PILLAI: Is it obligatory on the part of the members of the Public Accounts Committee to examine departmental heads or to ask questions?

MR. M. GOVINDA PILLAI: Not at all.

MR. P. NARAYANA PILLAI: Is it not left to the whims and fancies of the members to do it or not?

MR. M. GOVINDA PILLAI: It may not be exactly according to their whims and fancies, but according to their requirements.

MR. P. SIVARAMA PILLAI: Was any departmental head punished for not sending his report in time?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. GOVINDA PILLAI: As I have already stated, they have been asked to explain.

MR. P. NARAYANA PILLAI: In previous years?

MR. M. GOVINDA PILLAI: Yes, there have been cases.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask whether it is according to the whims and fancies of the members or according to the Statute that the members of the committee are expected to ask questions and to examine departmental heads?

MR. M. GOVINDA PILLAI: But, it arises only when they feel any necessity to do it.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I ask why, even in regard to the doubt raised by Mr. N. Krishna Aiyar, the departmental head concerned was not examined?

MR. M. GOVINDA PILLAI: The question was raised only at the meeting; it was certainly not practicable for Government to summon the departmental head on the spur of the moment, without previous intimation.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is there any notice prescribed by Statute for the requisitioning of departmental heads?

MR. M. GOVINDA PILLAI: No; but, as I said, it should be practicable. Government cannot get this done in the twinkling of an eye.

MR. M. R. NARAYANA PILLAI; How long did the committee meeting last?

MR. M. GOVINDA PILLAI: If I remember right, nearly an hour.

MR. M. R. NARAYANA PILLAI: Is the statement given here "11-30 to 11-45", correct?

MR. M. GOVINDA PILLAI: It may be; I thought we had sat for nearly an hour.

MR. S. NARAYANA PILLAI: Has any minimum time limit been fixed for the duration of the meetings of the Public Accounts Committee?

MR. M. GOVINDA PILLAI: No.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: How many days did the Committee meet last year?

MR. M. GOVINDA PILLAI: Two days, I think.

The House adjourned at 5-2 p. m.

Trivandrum,
27th January 1940.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

LIBRARY ARCHIVES Kerala Legislative Assembly